

REMARKS/ARGUMENTS

Applicants received the Office Action dated July 26 2006, in which the Examiner: 1) rejected claims 44-62 under 35 U.S.C. § 112, 2nd paragraph; 2) rejected claims 44-62 under 35 U.S.C. § 102(a) as being anticipated by D. Keim et al. ("Pixel Bar Charts: A New Technique for Visualizing Large Multi-Attribute Data Sets Without Aggregation," hereinafter "Keim"); 3) rejected claims 44-62 under 35 U.S.C. § 102(b) as being anticipated by M. Ankerst et al. ("Towards an effective cooperation of the computer and the user for classification," hereinafter "Ankerst"); and 4) rejected claims 44-62 under 35 U.S.C. § 102(a) as being anticipated by M. C. Hao et al. ("Visual Mining of E-customer Behaviour Using Pixel Bar Charts," hereinafter "Hao").¹ With this Response, Applicants amend claims 44, 50, 56, and 62.

I. SPECIFICATION OBJECTION

The objection to the specification has been addressed by way of amendment.

II. THE § 112 CLAIM REJECTIONS

Compliance with 35 U.S.C. § 112, second paragraph, is measured from the viewpoint of one of ordinary skill in the art. While Applicants firmly believe that one of ordinary skill in the art would readily understand the claims, Applicants have amended claims 44, 50, 56, and 62 to more explicitly define that the term "record-assigned pixel" refers to each pixel to which a record is assigned.

¹ The Examiner has assumed certain dates regarding the Keim and Hao publications to be the dates that the Keim and Hao publications were first published. Applicants submit that these dates may not be the dates of first publication. For example, the Keim publication lists a date of April 11, 2001 which, according to a footnote, is the "internal accession date only." This may not be a date of publication outside Hewlett-Packard Co. At any rate, for purposes of this Response, Applicants do not challenge at this time whether the Keim and Hao publications were first published prior to the filing date of the present application.

III. REJECTIONS OVER KEIM AND HAO

MPEP 2132.01 states that a § 102(a) rejection can be overcome "by submission of a specific declaration by the applicant establishing that the article is describing applicant's own work." The Keim and Hao publications were authored by some, but not all, of the inventors. That is, all of the authors on the Keim and Hao publications are inventors on the present application. The subject matter of the publications thus represents the work of at least the authoring inventors, if not all of the inventors. Applicants discussed this issue with Special Program Examiner (SPRE) Dwayne Post on October 16, 2006 who recommended submitting a declaration per MPEP 2132.01 establishing that the Keim and Hao publications represent the work of the inventors themselves. Accordingly, submitted herewith is such a Declaration. As a result, Applicants respectfully submit that the Keim and Hao publications cannot be used to reject the claims of the present application.

IV. REJECTIONS OVER ANKERST

The Ankerst publication is directed toward visualization of a decision tree. See page 1, right-hand column. Section 3.1 of the Ankerst publication explains that each record of the training data comprises multiple attributes. Figure 1, for example shows various attributes for each record. Each row of Figure 1 corresponds to a separate record. Thus, record 1 has a value for the first attribute of 0.3 and a value of the second attribute of 23.3. Similarly, record 2 has a value for the first attribute of 2.4 and a value of the second attribute of 2.0, and so on. The right-hand side of Figure 1 shows that the values of each attribute value for the records can be sorted separately from all other attribute values.

Ankerst explains that "the different attributes have to be mapped to different areas of the screen." Page 3. Ankerst further explains that the attribute values are shown on the screen in bar form. "Within a bar, the sorted attribute values are mapped to pixels in a line-by-line fashion according to their order. Each attribute is visualized independently from the other attributes in a separate bar. Figure 3, for example, shows that each horizontal bar corresponds to a different attribute. Each pixel within each bar is assigned to an attribute value of a

particular record. Thus, all of the values of attribute 61 of all of the records are shown in the top bar in Figure 3. All of the values of attribute 120 of all of the records are shown in the bottom bar. Moreover, each record (which comprises multiple attributes, is allocated across multiple pixels in the visualization described in Ankerst. With regard still to Figure 3, record 1, for example, has values for attributes 61-120, and each such 60 attribute values for record 1 are shown in a separate horizontal bar. Figures 4, 5 and 7 of Ankerst also illustrate visualizing all of the attributes of all of the records, thus depicting using assigning multiple pixels to the same record.

While Applicants believe claim 44 to be patentable over Ankerst without amendment, Applicants have amended claim 44 to further distinguish over Ankerst. As amended, claim 44 requires, among other limitations, "assigning a pixel to each of said records so that every such record-assigned pixel in the chart is assigned to a different record. Claim 44 thus requires assigning a pixel to a record, a different record begin assigned to each such pixel. Ankerst, however, describes assigning attribute values of a record to each of multiple pixels—one attribute per pixel. Consequently, multiple pixels in Ankerst will be assigned to attribute values of the same record. For example, in Figure 3, 60 pixels will be assigned to the attributes of each record. The invention of claim 44, however, requires that each pixel in the pixel bar chart is assigned to a different record, that is, no two or more pixels are assigned to the same record. For at least this reason, claim 44 and all claims dependent thereon are allowable over Ankerst.

Independent claims 50, 56, and 62 include the same or similar limitations as discussed above with regard to claim 44. Accordingly, for at least the same reason as claim 44, claims 50, 56, and 62 and their dependent claims are in condition for allowance over Ankerst.

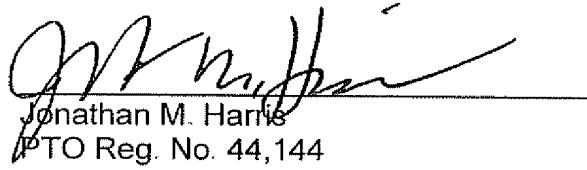
V. CONCLUSION

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of

Appl. No. 09/982,481
Amdt. dated October 26, 2006
Reply to Office action of July 26, 2006

time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan M. Harris", is written over a horizontal line.

Jonathan M. Harris
PTO Reg. No. 44,144
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANTS

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400